



4-8-04

45
BAC
MJD

Attorney Docket No. 11049.02
Express Mail No. EV 447 216 310 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

RECEIVED

Confirmation No.: 1876

Inventors: Daniel F. Williams et al.

APR 16 2004

Group Art Unit: 2163

Appln. No.: 09/944,324

OFFICE OF PETITIONS

Examiner: Not Yet assigned

Filed: August 30, 2001

For: METHOD, APPARATUS, AND MANUFACTURE FOR FACILITATING A
SELF-ORGANIZING WORKFORCE

Mail Stop Petitions –
Attn.: Ms. Andrea Smith, Paralegal
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

IMMEDIATE ATTENTION

**PETITION UNDER 37 C.F.R. § 1.137(b) TO REVIVE AN
UNINTENTIONALLY ABANDONED APPLICATION**

Sir/Madam:

On December 4, 2003, a notice of abandonment (Attachment 1) was mailed in this case. The notice of abandonment indicates that the application was abandoned for failure to timely reply to a notice to file missing parts mailed on October 5, 2001, (hereinafter "Notice").

The inventors and assignee did not intend to let this application go abandoned. The entire delay in filing the enclosed reply to the Notice from the due date for reply of December 5, 2001, until the filing of the petition was unintentional. Thus, this petition to revive is being submitted under 37 C.F.R. § 1.137(b).

A response to the Notice was not timely filed because the undersigned was unaware that the Notice had been received. The Declaration of Jo Howell (Attachment 2), our docketing clerk, indicates that our docket system was inadvertently not updated to reflect receipt of the Notice or the date for responding thereto.

The delay in filing this petition between December 5, 2004, and today was the result of our initial erroneous conclusion that it was the Office's mistake in abandoning the case. A

petition to withdraw a holding of abandonment was prepared and finalized for submission at the end of March. It was at this time, when copying the filing receipt for inclusion in the petition to withdraw a holding of abandonment, that the Notice was discovered attached to the original filing receipt. The petition was changed from one requesting a withdrawal of the holding of abandonment to one petitioning to revive the application as being unintentional abandoned. Thus, the receipt of the Notice was not recognized until we prepared the petition to withdraw the holding of abandonment.

The Notice indicates that drawings in compliance with 37 C.F.R. § 1.84 are required. As such, to properly respond to the Notice, formal drawings in compliance with 37 C.F.R. § 1.84 are submitted herewith.

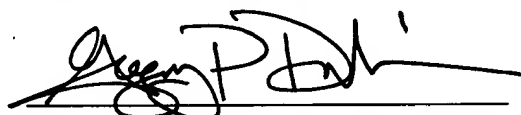
It is respectfully requested that this petition be granted and the application be reinstated for prosecution on the merits.

The Commissioner is hereby authorized to charge the \$1,330 petition fee, and any additional fees with regard to this petition to Deposit Account No. 04-1415.

If there are any questions or further information is required, please contact the undersigned.

Signed at Denver, Colorado, this 6th day of April 2004.

Respectfully submitted,



Gregory P. Durbin, Reg. No. 42,503
DORSEY & WHITNEY LLP
370 Seventeenth Street, Suite 4700
Denver, CO 80202-5647
Tel.: (303) 629-3400
Fax: (303) 629-3450

USPTO Customer No. 20686



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/944,324	08/30/2001	Daniel F. Williams	11049.02

20686
 DORSEY & WHITNEY, LLP
 INTELLECTUAL PROPERTY DEPARTMENT
 370 SEVENTEENTH STREET
 SUITE 4700
 DENVER, CO 80202-5647

RECEIVED
 APR 16 2004
 OFFICE OF PETITIONS

CONFIRMATION NO. 1876
 ABANDONMENT/TERMINATION
 LETTER



OC000000011423473

Date Mailed: 12/04/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 10/05/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

[Signature]

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Confirmation No.: 1876
Inventors: Daniel F. Williams et al.	Group Art Unit: 2163
Appln. No.: 09/944,324	Examiner: Not Yet assigned
Filed: August 30, 2001	
For: METHOD, APPARATUS, AND MANUFACTURE FOR FACILITATING A SELF-ORGANIZING WORKFORCE	

DECLARATION OF JO HOWELL

Sir/Madam:

1. I, Jo Howell, am a docketing clerk in the Denver office of Dorsey & Whitney LLP. As part of my responsibilities, I receive U.S. Patent & Trademark Office (hereafter "USPTO") documents. Upon receipt, I review the documents noting the mailing date of the document and the timing for response, and add a docket entry reflecting the date a response is due.

2. Exhibit 1 is a copy of the filing receipt (2 pages) for the above-referenced case. Further, Exhibit 1 includes a copy of the notice to filing missing parts (1 page) for the above-referenced case, which was attached to the filing receipt when received from the USPTO.

3. The lower left hand corner of the filing receipt includes a stamp, where I have initialed "Jo", the date of receipt "10/11/01" and the docket number of this case 11049.00. This stamp indicates that I received the document on October 11, 2001 and entered it into our docketing system. It is my practice to stamp, initial, date, and indicate the docket number on each document received from the USPTO.

4. The lower left hand corner of the notice to file missing parts does not include a stamp and does not include any information indicating that I reviewed the document when it was received. It is my customary practice to stamp, initial, date, and indicate the docket number on each document received from the USPTO. Had I recognized the notice to file missing parts at the time of my review and docketing, I would have stamped, initialed, dated and indicated the docket number separately from the filing receipt.

5. Exhibit 2 is a copy of the docket report (2 pages) for the above-referenced case.

6. The second page of the docket report includes a comment box. The last line of text in the comment box has entry "Rec'd official filing receipt 10/11/01," (underlined) which indicates that the filing receipt was received on October 11, 2001, and that I entered the information into the docket at that time.

7. The docket report does not have any entry for the notice to file missing parts or shortened statutory 2 month response due date of December 5, 2001. Thus, the lack of an entry for the notice to file missing parts on the docket report further reflects the fact that I did not recognize that we had received the notice to file missing parts or docket the related information.

8. From our docketing and filing records as described in Paragraphs 1-7 above, it is my conclusion that I inadvertently did not update the docket system to reflect receipt of the notice to file missing parts. Further, I inadvertently did not update the docket system to reflect the 2 month due date for responding to the notice to file missing parts or the due dates with extensions of time to respond.

I hereby certify that all statements made herein are true and correct to the best of my knowledge.

Dated: 4/6/04 Jo Howell
Jo Howell

STATE OF COLORADO)
) ss.
CITY & COUNTY OF DENVER)

Subscribed and sworn to before me this 6th day of April 2004 by Jo Howell.

Expiration Date: 9/26/05

Virginia A. Samuels
Notary Public



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/944,324	08/31/2001	2163	1122	11049.00	20	83	8

CONFIRMATION NO. 1876

20686
DORSEY & WHITNEY, LLP
SUITE 4700
370 SEVENTEENTH STREET
DENVER, CO 80202-5647

OCT 1 2001

FILING RECEIPT



OC00000006851838

Date Mailed: 10/05/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Daniel F. Williams, Yarrow Point, WA;
Larry L. Ostema, Denver, CO;
Matthew N. Jensen, Seattle, WA;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/229,928 09/01/2000

Foreign Applications

If Required, Foreign Filing License Granted 10/04/2001

Projected Publication Date: To Be Determined - pending completion of Corrected Papers

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Method, apparatus, and manufacture for facilitating a self-organizing workforce

Preliminary Class

Mail Ledger
Docketed
Due Date

EXHIBIT 1

705

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/944,324	08/31/2001	Daniel F. Williams	11049.00

20686
DORSEY & WHITNEY, LLP
SUITE 4700
370 SEVENTEENTH STREET
DENVER, CO 80202-5647

CONFIRMATION NO. 1876

FORMALITIES LETTER



OC00000006851839

Date Mailed: 10/05/2001

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

Sender

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

Patent Record Sheet

Docket ID	1483/US/1	Attorneys	DURBIN Greg P., OSMAN Lee R., FERNE Cheryl Arnold
Former ID	DV-11049/US/02	Application No	09/944324
Client	CompanyWay.com, Inc.	Application Date	Aug-30-2001
Client-Matter	460319-00002	Grant No	
Country	United States of America	Grant Date	
Short Title	Method, Apparatus, and Manufacture for Facilitating a Self-Organizing Workforce	1st Publication No	
		1st Publication Date	
		Expiration Date	Sep-01-2020
		Priority Date	Sep-01-2000
Inventors	JENSEN Matthew N., WILLIAMS Daniel F., OSTEMA Larry L.	License of Right	<input type="checkbox"/> Small Entity <input checked="" type="checkbox"/>
Convention	Pri. Claimed	Claimed Priorities and Parent Records	
Origin		Relation	Docket ID Date Primary
Type	Patent	Base Provisional	1483/US 9/1/2000 <input type="checkbox"/>
Sub Type		Priority	1483/US 9/1/2000 <input type="checkbox"/>
Status	Pending	Foreign Assoc. & Ref. No.	
Sub Status		Tax Receiver	

Docket

Action / Event	Reminder	Due	Done/Recorded	Resp Party
Notes				
Status Inquiry		Jun-14-2004		
US-Filing Date (Utility)-Rtn Card Received? (Due Date)		Sep-30-2001	Jan-01-1901	
Awaiting Filing Receipt		Oct-15-2001	Jan-01-1901	
Correct Filing Receipt (Reminder)		Nov-05-2001	Jan-01-1901	
IDS Due		Nov-30-2001	Jan-01-1901	
Correct Filing Date (Due Date)		Dec-30-2001	Jan-01-1901	
Check Req for Corr Rec (10/26) (Due Date)		Mar-01-2002	Jan-01-1901	
Awaiting Corrected F. Receipt (Due Date)		Apr-01-2002	Jan-01-1901	
3 Mo Reminder to Foreign File Utility		May-30-2002	Jan-01-1901	
2 Mo Reminder to Foreign File Utility		Jun-30-2002	Jan-01-1901	
US-Filing Date (Utility)-Record Assignment (Due Date)		Jun-30-2002	Jan-01-1901	
1 Mo Reminder to Foreign File Utility		Jul-30-2002	Jan-01-1901	
Foreign Filing Utility Deadline		Aug-30-2002	Jan-01-1901	
US-Filing Date (Utility)-Awaiting Recorded Assignment (Due Date)		Aug-30-2002	Jan-01-1901	
Await corrected assignment (Due Date)		Mar-05-2003	Jan-01-1901	
Application Date			Aug-30-2001	
Notice of Abandonment Received			Dec-09-2003	
Expiration Date			Sep-01-2020	
DIAMS-Auto Date Calculation				

Created Jul-09-2001 jo
Updated Apr-05-2004 HOWELLJ Monday, April 05, 2004

Denneweyer Intellectual Asset Management System
 Page 1 of 2

Patent Record Sheet

Memo

PRIORITY: 60/229928 filed 9/1/00;
Rec'd Not. of Abandonment 12/9/03; Rec'd rtn card - Suppl IDS 6/16/03; Suppl IDS (IPER) filed 6/9/03; Rec'd rtn card -
Suppl IDS 9/30/02; Rec'd corr'd rec assign 9/30/02 REEL/FRAME: 013009/0653 Rec date: 6/20/02; Filed suppl. IDS
9/23/02; Rec'd rtn card - req for corr 9/17/02; Filed req for corr assign 9/5/02; Rec'd rec assign (REEL/FRAME
013009/0653, 6/20/02) 8/27/02; Rec'd rtn card - Assign 7/2/02; Rec'd suppl. IDS fil pstcrd 7/1/02; Rec'd assign fil pstcrd
7/1/02; Assign filed 6/14/02; Suppl IDS filed 6/10/02; Rec'd IDS fil pstcrd 3/26/02; Filed IDS 3/13/02; Rec'd. corrected filing
receipt 3/11/02; Rec'd req. for correct fil rcpt fil pstcrd 2/7/02; Req. for Corrected Receipt filed 10/26/01; Rec'd. official filing
receipt 10/11/01; Rec'd appl. fil. pstcrd 9/10/01; Filed Util. appl. 8/30/01;



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Daniel F. Williams et al.

Appln. No.: 09/944,324

Filed: August 30, 2001

For: METHOD, APPARATUS, AND
MANUFACTURE FOR FACILITATING A
SELF-ORGANIZING WORKFORCE

Confirmation No.: 1876

Group Art Unit: 2163

Examiner: Not Yet Assigned

CERTIFICATE OF MAILING BY EXPRESS MAIL

Mail Stop Petitions
Attn.: Ms. Andrea Smith, Paralegal
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby certifies that the following documents:

1. Petition Under 37 C.F.R. § 1.137(b) to Revive an Unintentionally Abandoned Application (2 pages);
2. Attachment 1 – Notice of Abandonment dated December 4, 2003 (1 page);
3. Attachment 2 – Declaration of Jo Howell (2 pages);
4. Exhibit 1 – Filing Receipt (2 pages) and Notice to File Corrected Application Papers dated October 5, 2001 (1 page);
5. Exhibit 2 – Patent Record Sheet (2 pages);
6. Response to Notice to File Corrected Application Papers and copy of Notice to File Corrected Application Papers (2 pages);
7. Twenty (20) formal drawing sheets;
8. Certificate of Mailing by Express Mail; and
9. Return Card,

relating to the above application, were deposited as "Express Mail," Mailing Label No. EV 447 216 310 US with the United States Postal Service, addressed to Mail Stop Petitions, Ms. Andrea Smith, Paralegal, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 6 day of April 2004.

Date: 4/6/2004

Jane Lalis
Mailer
Jane Lalis
Signature of Mailer
DORSEY & WHITNEY LLP
USPTO Customer No. 20686